

From: Bruce Weekley <BruceW@VentureConstruction.com>
To: "'Mr. Melvin Malone'" <mmalone@mail.state.tn.us>
Date: 6/30/00 10:09am
Subject: Lynnwood Utility, docket # 99-00507

Dear Mr. Malone,

Granting Lynnwood Utility's sewer rate increase on 5/10/00 was the worse example of "regulation" by a government agency which I have been involved with. To grant an increase of 300% to 400% is not fair and is very irresponsible in your office "regulating" such rate increases. There appears to have been no regulation by the TRA, just "file all the paper work and we will grant any request you make." I spoke with someone at TRA and they stated that this rate was in line with what is common in the area. Well, if The TRA had studied the facts you would have discovered that the water rates charged by the City of Franklin and other water companies do not compare to the high rates that HB& TS charge. For TRA to even suggest that we "Cottonwood residents will be just getting charged for sewer as per Franklin residents" is absurd! A typical house in Cottonwood who uses 10,000 gallons of water in one month will pay \$57.70 for water: A Franklin resident on the other hand would only pay \$23.40, less than half! A Franklin Residents sewer is set at only 85% of his water bill not 100%. So a Cottonwood resident pays \$57.70 for sewer and Franklin resident pays \$22.55: does this seem fair? In talking with your office it was stated that "Lynnwood was losing money". In reviewing their profit and loss statement for 1998, which I found in your docket documents, Lynnwood showed a loss of \$27,593.68 which is almost exactly what they spent on Legal and Professional Fees? Looks like to me the sewer operation was running OK but the management was the problem. Through Oct. 11, 1999 Lynnwood showed a loss of \$44,732.49. One item that looks strange is the \$30,176.64 for sludge removal, this looks like it was funded in a loan for expansion per item 10-9/24/99.

Mr. Malone, The Cottonwood Residents are not asking for a free ride by any means but I just received my June water bill and it is for over \$ 100.00 dollars. I can assure you that I did not send that much extra sewerage down to Lynnwood. In the past Lynnwood has always use a flat rate of billing and I am quite sure that an equitable flat fee could be charged and Lynnwood could make ends meet. I feel an increase to \$30.00 per Cottonwood house should be sufficient to cover Lynnwood' operation. This would represent an 85 % increase. This would give Lynnwood \$ 174,200 for the year which is a \$35,000 increase over 1998 or a 25 % increase over 1998 which is more than five times the inflation rate for the same period.

One other issue, I do not mind paying for upgrading the sewer plant for Cottonwood Use which the plant was originally built for, but to expect Cottonwood Residents to subsidize expansion and major capital expenses is totally wrong. Cottonwoods' sewer usage has not increased beyond 1,510,080 gallons per day (according to the Summary on Item 7-9/24/99). Why should I pay to double the capacity so developers can sell their overpriced lots and houses at my expense.

Thank you in advance for your consideration of this matter which is of dire monetary importance to myself and others.

Thanks,
Bruce Weekley
Vice President
Nashville Division

CC: "'Ms. Sara Kyle'" <skyle@mail.state.tn.us>, "'Mr. ...

99-CCSC 7

From: <RihKel@cs.com>
To: <mmalone@mail.state.tn.us>
Date: 6/29/00 3:17pm
Subject: Lynwood Utility

We need to make you aware that Lynwood Utility has suddenly quadrupled the sewer rate in Cottonwood Subdivision, Franklin, TN. For the past nine years we have paid a monthly fee of \$14.00. As of two months ago, Lynwood Utility has acquired new ownership by land developers (David Terry's and Smith, Crowe, Wilson's land developments) who are presently developing new subdivisions adjoining Cottonwood.

Since 1996, developers of the Legends Ridge & River Landing subdivisions have owned Lynwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions.

TRA has approved Lynwood Utility's requested rate increase (from the new owners) wherein they are charging us \$5.77 per 1000 gallons of water used, which is an increase of 300-400% for Cottonwood residents. PLEASE BE AWARE THAT THE NEW RATE IS APPROXIMATELY 70% HIGHER THAN OTHER SEWER SERVICE IN OUR AREA. Last month our bill was \$51.42 and this month our bill was \$62.83.

Also, revenue projections provided to the TRA by Lynwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

There is grossly excessive

99-00507

From: John Fraser <frasergroup@home.com>
To: <mmalone@mail.state.tn.us>, <skyle@mail.state.tn.u...>
Date: 7/5/00 10:20pm
Subject: Petition for Reconsideration...Cottonwood Homeowners

To: The Tennessee Regulatory Authority.

I am writing in support of the petition for Reconsideration filed by the Cottonwood Homeowners Association, which you will be considering on July 11.

When Lynnwood Utilities announced that they would be expanding the service of the utility to include Legend's Ridge and River Landing developments, they went to considerable lengths to assure the residents of Cottonwood that their sewer rates would not be adversely affected. This has not been the case, and while I understand the need to increase a rate that has not increased noticeably in a number of years, I find myself with a 258% rate increase which is exhorbitant. I cannot imagine that you honestly expect ANYONE to happily acquiesce in the face of such an enormous increase.

There are, apparently, a number of other issues regarding the veracity of statements made by David Terry, and his dealings with Legend's Ridge sewer taps that you are investigating. I applaud you for that, wish you well, and petition you to roll back the onerous rate increase that you approved on May 10.

I look forward to a positive result on July 11.

Sincerely,

John D. Fraser
102 Cottonwood Drive, Franklin TN. 37069

99-00907

From: "Gene Rodriguez" <grod49@home.com>
To: <mmalone@mail.state.tn.us>, <skyle@mail.state.tn.u...>
Date: 7/5/00 8:44pm
Subject: Lynnwood Utilities rate increase

Please accept this as a respectful request to reconsider the above rate increase. My family and I have lived in Cottonwood for 19 years. There have been many changes in that amount of time. The building boom in Williamson County has brought many developers to the area and they all need water and sewer access to be able to build their subdivisions. Legends Ridge and River Landing developers bought Lynnwood Utility for that purpose. When Lynnwood's plans for expansion were presented to The Cottonwood Homeowner's Association, they were misleading and misrepresented. The Board was led to believe that Cottonwood residents would not be paying a higher rate for sewer service. I think that it is a conflict of interests when land developers are in control of water, sewer or electricity used by other residents in other subdivisions not owned by the developers. I request that you look further into the dealings of David Terry, Smith, Crowe, Wilson, LLC to be sure that Cottonwood homeowners are not paying the price for the development of sewer for other new neighborhoods. Let the people who can afford to purchase these \$400,000 and up homes foot the bill! A 300-400% rate increase for Cottonwood residents speaks for itself. It should not have happened but it has. In your meeting on July 11th, I am asking you to please reconsider this rate increase. It is putting an unfair burden on my family and I think that it is unnecessary.

Sincerely,
Henry and Gene Rodriguez
142 Riverwood Drive
Franklin, TN 37069

99-00507

From: <JimKirs@aol.com>
To: <mmalone@mail.state.tn.us>
Date: 7/4/00 8:35am
Subject: Lynnwood Utilities Rate Increase Docket # 99-00507

Dear Chairman Melvin Malone, TRA

I am writing to complain about the exorbitant rate increase by Lynnwood Utility.

When our development (Cottonwood) was created, our homes paid for the original sewage facility as part of our purchase price. I took a tour of the facility when I bought in 1976 and found out that it was sized for twice the number of taps as Cottonwood since there were already plans for a Cottonwood II Development. Also, I was told that it was a nonprofit Organization.

I do not feel nor want to pay for additions to the facility caused by developers. Some of these developers have been given free taps unlike me. Any costs associated with capacity additions due to new users should by all rights be paid for by the new taps and not me.

Since the inception of Lynnwood, it should have had Revenues of over \$2,000,000. I do not want to pay for fixing something up that was, as Lynnwood says, mismanaged all of these years.

I have looked at their projected expense sheet for 2000 and find expense increases that cannot be justified to be put back on us original users.

First of all, they tout their proposed agreements to have Franklin and HB&TS Utilities collect data and bill us. That bill processing fee is over \$25,000 more than for 1999 -- really a great deal (ha!) that I would be run out of my job for doing. Seems to me Mr. Lamb would like us to pay for his convenience. All in all, the Office Overhead went from \$19,000 to \$47,000 (Discounting Debt Service, Depreciation and Amortization).

Second, they doubled their trash removal cost from 1999, the place is not very big and \$300/mo. is a bit high since it only cost \$900 in all of 1999 save for two months where they had \$1,600+ costs which most likely was a result of all those years of mismanagement.

Third, why does the franchise tax go from \$1,833 to \$5,432. Their area did not increase!

Fourth, there is a 40% increase in Electric Bills. If this is due to the new customers then the new customers should be able to help them absorb that, else they put some less efficient equipment in. I would need to know the reason behind that. This tacks on \$10,000 more to the rate base.

Fifth, Sludge Disposal stayed the same. Last year and this, they had to clean out the sludge of many many years which is a lot higher cost than sludge removal maintenance. Again, I do not want to pay for past owners mistakes -- the new owners should have realized this and reduced their purchase price to cover same.

Remedies:

I know this company is due a rate increase as long as it is fixed rate.

The cost of new lines and service taps must be born by the new developers. I do not believe they should be "for profit" -- this only encourages them to be lax with their expenses so they can create more profit.

They should continue to do their own billing. Fixed Rates are much cheaper to bill.

Any increase should be provisional and be reviewed annually with our input each time there is to be a change -- Newspaper Announcements do not get it.

An investigation is needed in order to unravel a lot of what I call business voodoo in how these Lynnwood operation changed hands and the arrangements made. Seems to me the series of owners have used Lynnwood as a way to insure they get the best advantages in creating their new developments and to serve their best interests. They do not seem to have the customer's best interest in mind.

I believe there is a law or regulation that says Homeowners cannot own a treatment plant. I think the same should go for Developers -- it creates a hugh conflict of interest otherwise.

I will be out of town during the next TRA Meeting taking care of sick Parents - I would really have liked to attend. If for some reason, the review has a second hearing after the next meting, I would like to be invited.

Thank you for taking time to consider this too long a memo. I appreciate your efforts on behalf of the Citizens of our State.

Jim Kirspel
615-790-3845
EMAIL JimKirs@aol.com
905 Hawthorne Court, Franklin, TN 37069
Cottonwood Estates Lot #366

41 10507

From: "Robert Lowry" <rlowry@lwol.com>
To: <mmalone@mail.state.tn.us>
Date: 7/3/00 4:22pm
Subject: Cottonwood Sewer Rate Increase

Dear Mr. Malone:

I have been a resident of Cottonwood since 1978. In spite of retirement and a reduced, fixed income my wife and I along with our disabled daughter hope we can continue living in this family-oriented community.

One of the difficulties in retirement is developing a family budget that will allow for the necessities and a few of the extras in the latter years. Our budget requires constant adjusting because of increased costs of the necessities.

When learning of the new sewer rates announced by Lynnwood Utility I was astounded. I simply couldn't believe that the new rate will be \$5.77 per 1,000 gallons of water used. This will increase sewer rates in excess of 300% for Cottonwood residents and make the new rate about 70% higher than other sewer services in our area.

Somehow my wife will budget this increase. Though we agree that some increase is justified we feel this exorbitant increase is grossly unfair.

Furthermore, we feel that the Cottonwood Board has been misled by Lynnwood's owners. The owners (developers of Legends Ridge and River Landing), who purchased the utility in 1996, led the Board to believe that their expansion would not adversely affect our sewer rates.

It is also our understanding that the revenue projections presented to the TRA by Lynnwood Utility are greatly understated, in that they do not reflect revenues generated by the number of additional households in Legends Ridge and River Landing. As a Cottonwood resident I do not feel I should subsidize the new households that will use the sewer service.

My only request is that the TRA look at all the facts and arrive at a fair and equitable plan for all the parties involved.

Sincerely,

Robert N. Lowry
608 Countryside Court
Franklin, TN 37069
rlowry@lwol.com

CC: <skyle@mail.state.tn.us>, <lgreer@mail.state.tn.us>...

99-00507

From: "James A Savage" <james.savage@home.com>
To: <mmalone@mail.state.tn.us>, <skyle@mail.state.tn.u...>
Date: 7/4/00 12:27am
Subject: Lynnwood Utility

I am contacting each of you to let you know of my concerns regarding the recent extraordinary rate increase in Lynnwood Utility's rates.

I am also writing to let you know of my concerns regarding the change in the method used by Lynnwood Utility to determine the rates that consumers will be charged for their services. I was shocked to learn that such a change could be made without prior comment by, or notification to, Lynnwood Utility's customers.

Since 1996, developers of the Legends Ridge and River Landing subdivisions have owned Lynnwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions.

Lynnwood's owners misled and misrepresented their plans to the Cottonwood Homeowners Association Board of Directors, leading the Board to believe that rates paid by Cottonwood residents would not be adversely affected by Lynnwood's expansion plans.

These land developers who became Lynnwood Utility owners (David Terry followed by Smith, Crowe, Wilson, LLC) have engaged in a complex sequence of financial arrangements that must be more fully explored by the TRA to ensure that Lynnwood Utility's customers' interests have not been sacrificed to secure the profitability of David Terry's and Smith, Crowe, Wilson's land development.

Lynnwood's new rate of \$5.77 per 1000 gallons of water used is an increase of 300-400% for Cottonwood residents. The new rate is approximately 70% higher than other sewer service in our area.

Revenue projections provided to the TRA by Lynnwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

Basing sewage service on water usage rates seems incongruous. How could water usage, including

irrigation and outdoor use that will never enter the Lynnwood Utility treatment plant, be related to the amortized cost per person of providing sewer service and treatment facilities?

Please reconsider this decision.

Sincerely,

James A. Savage

James A. Savage
132 Cottonwood Drive
Franklin, TN 37069
(615) 794-8720
james.savage@home.com

From: <PUGGAH@aol.com>
To: <mmalone@mail.state.tn.us>
Date: 6/29/00 3:11pm
Subject: Lynnwood Utilities debate

REC'D TN
REGISTRATION DIV.

'00 JUN 29 PM 3 45

99-00507

Dear Mr. Malone,

When we first moved to Cottonwood Subdivision in Franklin in 1994, the fulfilled a dream we had when we first married in 1978. EXECUTIVE IN BEAUTIFUL Williamson County was a given when we relocated from Florida. My wife and I were delighted to find a home in this much sought-after community. Our neighbors are our friends.

In these last few years we have bemoaned all the new developments springing up all around us. While the expensive new homes have perhaps brought our property value up, the increased water and sewer usage has caused major problems for us in Cottonwood. Lynnwood Utilities met with our Cottonwood Homeowner's Association and assured them that the upgrades being done to the sewer treatment plant would not affect our monthly fees. But two months ago we received a new bill in the mail for \$40.00 and another for the next month for \$50.77. This a jump from \$16.75 a month. Some families were estimated as \$100 a month. This is ridiculous! This is 70% higher than another sewer service in our same area!

The developers are David Terry and Smith, Crowe, Wilson LLC. Shouldn't they be assessed for these added improvements? After all, they are the ones who have made a lot of money from the sale of the lots to the builders. No one asked us if they could build multi-million dollar homes nearby and charge us for improvements in a sewer system which was sufficient for the number of homes in our community. We are innocent. It isn't fair and someone needs to stand up for us. Please do your part to fairly represent us in this matter. We appreciate and say thank you in advance for anything you could say or do to help us out.

Best Regards,
Mr. and Mrs. Woody Peek, Jr.
609 Countryside Court
Franklin, Tenn. 37069

From: "Claudia Fielder" <cgf33@prodigy.net>
To: <mmmalone@mail.state.tn.us>
Date: 6/29/00 5:23pm
Subject: Lynnwood Utility

REC'D TN
RECEIVED BY MAIL

100 JUN 29 PM 3 45

Dear Mr. Malone,

OFFICE OF THE
EXECUTIVE SECRETARY

I am a resident of Cottonwood in Franklin, and am very concerned about the increase in our sewer rates. Since 1996, developers of the Legends Ridge and River Landing subdivisions have owned Lynnwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions.

Lynnwood's owners misled and misrepresented their plans to the Cottonwood Homeowners' Association Board of Directors, leading the Board to believe that rates paid by Cottonwood residents would not be adversely affected by Lynnwood's expansion plans.

These land developers who became Lynnwood Utility owners (David Terry followed by Smith, Crowe, Wilson, LLC) have engaged in a complex sequence of financial arrangements that must be more fully explored by the TRA to ensure that Lynnwood Utility's customers' interests have not been sacrificed to secure the profitability of David Terry's and Smith, Crowe, Wilson's land developments.

Lynnwood's new rate of \$5.77 per 1000 gallons of water used is an increase of 300-400% for Cottonwood Residents. The new rate is approximately 70% higher than other sewer services in our area. It is outrageous!

Revenue projections provided to the TRA by Lynnwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

This rate increase is grossly excessive and should not be allowed to stand. Please reconsider this action.

Thank you for your support.

Regards,

Claudia Fielder
127 Cottonwood Drive
Franklin, TN 37069

From: <RihKel@cs.com>
To: <mmalone@mail.state.tn.us>
Date: 6/29/00 3:17pm
Subject: Lynwood Utility

We need to make you aware that Lynwood Utility has suddenly quadrupled the sewer rate in Cottonwood Subdivision, Franklin, TN. For the past nine years we have paid a monthly fee of \$14.00. As of two months ago, Lynwood Utility has acquired new ownership by land developers (David Terry's and Smith, Crowe, Wilson's land developments) who are presently developing new subdivisions adjoining Cottonwood.

Since 1996, developers of the Legends Ridge & River Landing subdivisions have owned Lynwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions.

TRA has approved Lynwood Utility's requested rate increase (from the new owners) wherein they are charging us \$5.77 per 1000 gallons of water used, which is an increase of 300-400% for Cottonwood residents. PLEASE BE AWARE THAT THE NEW RATE IS APPROXIMATELY 70% HIGHER THAN OTHER SEWER SERVICE IN OUR AREA. Last month our bill was \$51.42 and this month our bill was \$62.83.

Also, revenue projections provided to the TRA by Lynwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

The rate increase is grossly excessive.

Please e-mail us at the below address so that we may hold comfort in knowing further investigative steps are being taken.

Sincerely,
Mark & Kristie Kellner (RihKel@CS.com)

From: <Obridgett@aol.com>
To: <mmalone@mail.state.tn.us>, <skyle@mail.state.tn.u...
Date: 6/29/00 12:31pm
Subject: Lynwood Utilities

REC'D TN
REGULATORY DIV.

100 JUN 29 PM 3 45

To my representatives and TRA members:

OFFICE OF THE
EXECUTIVE SECRETARY

I am a resident of Cottonwood Estates in Franklin. As a neighborhood, we have been faced with one problem after another with regard to the newest housing developments in our area. From cutting access roads for the new residents through existing side streets to the obvious overloading of the sewage system (causing documented pollution hazards in the Harpeth River), it seems that these new developments are to be built, regardless of their impact on the residents who are already here.

I'm from southern California, I understand land development, and am not opposed to it on principle. Only when it is done irresponsibly. The latest impact of this irresponsibility is the raising of Lynwood Utility rates by over 300%, to a rate almost 70% higher than those of comparable utilities. The fact that Lynwood Utility is owned by the developers of River Landing and Legends Ridge is an unbelievable conflict of interest in the first place. That notwithstanding, to ask existing customers to pay for the upgrade of a utility in order to be able to service new customers is ridiculous! The TRA should not allow it.

As a resident of Williamson County, I have been appauled by the complete ownership of any sort of government body by land developers. I'm not sure how it is that this sort of collusion continues. However, this action by Lynwood Utilities is so far over the top, I cannot believe that it will stand public scrutiny. I am asking you to be sure that it does not.

Thank you for your time and attention.

Best regards,

Bridgett Evans O'Lannerghy
162 Cottonwood Drive
Franklin TN 37069

From: <Creinh0050@aol.com>
To: Chairman - TRA <mmalone@mail.state.tn.us>, Ms. Sar...
Date: 7/1/00 7:47am
Subject: TRA approved Lynnwood Utility rate increases

99-00507

Please reconsider the action taken by the Tennessee Regulatory Authority (TRA) on May 10, 2000 when the TRA approved the Lynnwood Utility's requested rate increase.

We Cottonwood Estates home owners are experiencing sewer bills that have suddenly tripled or quadrupled since this rate increase. At \$5.77 per 1000 gallons of water, this rate is approximately 70% higher than other sewer service in our area.

It appears that Lynnwood's owners mislead and misrepresented their plans to Cottonwood Homeowners' Association Board of Directors, leading the Board to believe that rates paid by Cottonwood residents would not be adversely affected by Lynnwood's recent expansion. Further, revenue projections provided to the TRA by Lynnwood Utility appear to be grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in the Legends Ridge and River Landing subdivisions.

It is my understanding that a Petition for Reconsideration has been filed and will be acted upon on the TRA meeting on July 11, 2000. I ask that this petition be given serious consideration.

Charles Reinhardt
Cottonwood resident/home owner

CC: <rep.charles.sargent@legislature.state.tn.us>, <se...

From: <RVKerl@aol.com>
To: <mmalone@mail.state.tn.us>, <skyle@mail.state.tn.u...
Date: 7/1/00 10:16am
Subject: Lynnwood Utility Rate Increase

99-00507

Dear TRA Directors:

I'm writing in regards to Lynnwood Utility's recent rate increase for sewer services. This rate increase was recently approved by the TRA. I believe this increase is grossly excessive and needs a more careful review.

I am a resident of Cottonwood subdivision and have lived in the area for five years. Due to your approval of Lynnwood's request for a rate increase, my sewer bill has increased from \$16.25 to over \$57.00 per month. Amazingly, this represents an increase of over 350%. I recognize that Lynnwood's costs have increased over the years and I am fully supportive of paying a proportionate share of these increased costs, however 350% is excessive. In addition, Lynnwood's new rate of \$5.77 per 1000 gallons of water used is approximately 70% higher than other sewer service in our area.

I feel all of you should be aware of some interesting facts concerning this matter.

* Since 1996, developers of the Legends Ridge and River Landing subdivisions have owned Lynnwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions. This should be considered a conflict of interest.

* Lynnwood's owners misled and misrepresented their plans to the Cottonwood Homeowners Association Board of Directors, leading the Board to believe rates paid by Cottonwood residents would not be adversely effected by Lynnwood's expansion plans.

* These land developers who became Lynnwood Utility owners (David Terry followed by Smith, Crowe, Wilson, LLC) have engaged in a complex sequence of financial arrangements that must be more fully explored by the TRA to ensure that Lynnwood Utility's customers' interest have not been sacrificed to secure the profitability of the land developers.

* Revenue projections provided to the TRA by Lynnwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on in Legends Ridge and River Landing. This misrepresentation will allow the Lynnwood Utility owners to grossly over earn on their investment.

* As an enticement to sell more lots in Legends Ridge, David Terry waived many of the sewer tap fees that builders typically pay. These tap fees should have been used to fund the capital improvements to the sewer plant. Rather, the owners are choosing to recoup their investment through the existing customer base (Cottonwood residents).

The Cottonwood Homeowners Association has investigated this matter and have officially requested the TRA to reconsider its action. A Petition for Reconsideration is scheduled for July 11, 2000, at which time I hope you will

take appropriate action. As a concerned citizen, I hope you can recognize the fraudulent activity of Lynnwood Utility's owners and reconsider your recent approval of their request for a rate increase. I'm sure an investigation, by your Staff members, will discover that Lynnwood's owners misrepresented their plans to the TRA just as they did to Cottonwood residents.

Your consideration will be greatly appreciated.

Bob & Susan Kerley
156 Riverwood Drive
Franklin, TN 37069
615-591-4259

CC: <rep.charles.sargent@legislature.state.us>, <sen.m...

From: <ToniKirs@aol.com>
To: <mmalone@mail.state.tn.us>
Date: 7/1/00 7:48pm
Subject: Cottonwood Sewer Rate increase Docker 99-00507

99-00507

Dear Mr. Malone:

I am writing to protest the high increase in my sewer bill and to support the appeal of Docket 99-00507, Lynwood Utilities Rate increase. I was paying 14.25 a month for our 3 bedroom home. My next sewer bill will be about 55.00. Normally my water bill is under 20.00, however, with watering my bushes and flowers our water use in the summer has increased. I agree that an increase would be fair but I would rather it be based on a flat rate instead of on water use.

The city of Nashville allows for a percentage decrease for summer months on use of water that doesn't require sewer use, i.e., watering, children swimming pools, car washing etc. Lynnwood said they do not know how to judge this. Ask Nashville they being doing it for years and there should be no problem giving credit immediately for this type of water use.

I believe we are being used to support a sewer system for new developments. Please reconsider the how sewer costs are evaluated and consider a price break for watering during summer dry month.

Thanks for your time and consideration in this matter.

Sincerely,
Toni Kirspel Lot 366
Cottonwood Estates
615-790-3845

From: "Duane Thompson" <sdthompson1@prodigy.net>
To: <mmalone@mail.state.tn.us>
Date: 7/2/00 3:06pm
Subject: Lynwood Utility rate increse

99-00507

To Whom It May Concern,

We have recently been shocked by the enormous rate increase by the Lynwood utility district for our sewer. The old rate has been at least tripled on our new bill. When the Utility district was requesting the rate increase, they continually referred to the fact that the rate had not been changed for years. We were expecting a rate adjustment but a 300% increase is ridiculous.

The new rate is as much as 70% higher than other sewer service in the area. At the present

rate we are paying for our water twice(The outgoing rate is slightly higher than the incoming rate)

It appears that the owners of Lynwood Utility are requiring the residents of Cottonwood to

subsidize their new developements (Legend's Ridge and River Landing).

I understand that the former owner, Mr. David Terry, may have "stuck" the utility with some

bad debts but the residents of Cottonwood should not be left holding the check. I don't understand

how these exoribidant rates are justified to secure the profit margins of the former and present owners of the utility.

As citizens of Tennessee and Williamson County, my wife and I ask that you address this matter in the July 11 meeting for the Petition for Reconsideration. We realize that the rates needed adjusting but the new rates are burdensome and unfair. I thank you for the time and effort you put forth into public service and ask for your attention in this matter.

Sincerely,

Duane & Sherry Thompson
sdthompson1@prodigy.net
709 Mockingbird Drive
Franklin, Tn 37069
615-794-8244

CC: <skyle@mail.state.tn.us>, <lgreer@mail.state.tn.us>...

From: <Sandytom965@aol.com>
To: <mmalone@mail.state.tn.us>
Date: 7/2/00 4:16pm
Subject: Lynnwood's high rates

99-00507

Mr. Chairman,

I am writing you to express concern about the dramatic increase in utility rates we in Cottonwood have recently received from Lynnwood Utility. In my case, the increase is about 250%, with no actual change in service received.

The onlt change seems to be that the developers of Legends Ridge bought the utility and need money to continue their development. There seems to be a conflict of interest which the TRA should at least look at.

Thank you for you time.

Sincerely,

Tom Koentop
170 Riverwood Drive
Franklin, TN 37067
615.790.3641
sandytom965@aol.com

From: <Richard_Waggoner@agla.com>
To: <mmalone@mail.state.tn.us>
Date: 7/3/00 8:00am
Subject: Lynnwood Utility

99-00507

Mr Melvin Malone
Chairman-TRA
460 James Robertson Parkway
Nashville, TN 37243

Mr Malone,

I am writing this letter to express my dissatisfaction with the TRA. I am a resident of Cottonwood which uses Lynnwood Utility for its sewer service. Recently the TRA allowed Lynnwood to raise my sewer rates 280%. This is about 70 % higher than other sewer service in our area. It now costs me more to flush my toilet than it does to fill it up!

I understand that there may have been some poor management in the past, and have recently watched some upgrading of the facility take place. The upgrading of the facility was to accommodate 2 new (very elite) neighborhoods and possibly some existing neighborhoods. I have also read that David Terry waived hook up charges for 77 lots in Legends Ridge (in Williamson AM yesterday). That really burns me! We in a somewhat modest neighborhood are subsidizing the service to houses that cost 5-6 times what mine is worth. These people buying 750,000 homes can't afford to hook up their own service?

We have also been informed that there will be no adjustment for irrigation in the summer. We have the option of adding an additional water line at a huge expense if we don't want to be charged for this.

When Lynnwood talk to Cottonwood's Homeowner's Association the indicated that the expansion would not adversely affect our rates. 280% seems pretty adverse to me.

I also understand that revenue projections that Lynnwood used to secure this increase from the TRA did not reflect revenue from the additional households coming online in River Landing and Legends Ridge.

Please, please look into this! We have no choice in who we use for sewer service. I cannot shop around!

Sincerely,

Richard Waggoner
803 Shady Glen Ct.
Franklin TN 37069

615-791-9258 h
615-749-1839 w

From: Nancy Taylor <nancytaylor@home.com>
To: <mmalone@mail.state.tn.us>
Date: 7/5/00 7:34am
Subject: Lynnwood Utility Sewer Rate Increase

99-00507

Dear Mr. Malone:

Please take a moment to review my complaint about the extreme increase in our sewer rates from Lynnwood Utility.

We have lived in Cottonwood Subdivision (702 Mockingbird Drive, Lot #222) since August 1992. Since that time, of course, we have paid the monthly flat rate for 3 bedrooms/2 baths of \$14.25 to Lynnwood Utility. While I realize this was a relatively low rate and probably inadequate because there was no measure of actual use and because the rate had not been increased for so long, I feel the rate we have begun being charged now, is exorbitant and excessive.

When I received initial notification of a pending rate change, I was not too overly concerned, as I knew that utility rates were regulated in Tennessee, and that even though we were initially told that "most homeowners in Cottonwood Subdivision will probably experience an increase in their monthly sewer cost", I trusted the change would be reasonable. I have never lived in any utility district in Tennessee (and we have lived in several different water/utility districts over the years) where sewer rates were more than 50% of water rates. Our water bill from HBTS has run in the \$40-\$50 per month range, so I anticipated the monthly cost might double at worst.

When I received what appeared to be a "full billing" from Lynnwood under the new measured service billing system, I was shocked. It was for \$46.16 - as much as my water bill, or more! There was very little explanatory information on the bill, but there was a note that stated that "Sewer will not be billed again for approximately 60 days." I then assumed that this must be for 2 months service, and that was not too unreasonable. However, my next bill came in about 30 days later and even though we had an unusually low water bill the month before, this time it showed "for service from 4/14/2000 - 5/12/2000." This finally let me know that I was now paying MORE for sewer service than for water! And, I now realize, the rate increase has effectively been 300% to 400%.

I will be attending the meeting for Reconsideration on July 11. In your preparation for that meeting, please consider the following points:

- * The purchase of Lynnwood Utility by the developers of Legends Ridge and River Landing subdivisions, in 1996, so that they would be in control of sewer services for those developments was misrepresented to Cottonwood residents, as our Board was promised the upgrade/expansion would not adversely affect our sewer rates.

- * Lynnwood Utility owners, the above mentioned developers, have been involved in extensive financial dealings that should be explored to ensure that Lynnwood Utility's customers have not been adversely effected to help improve the financial results of those developments.

* Have the revenue projections used by Lynnwood Utility owners in having rates set been adequately adjusted for the additional revenues that will be generated from the new developments coming online? Were tap fees for hooking up customers in the two new developments adequately considered in the rate-making process?

* The new sewer rate of \$5.77 per gallon use is, on it's face, exorbitant. From the information I have received, I understand this rate is 60% to 70% HIGHER than other sewer service rates in our area.

Please give due consideration to our appeal. We appreciate your consideration of our petition.

Respectfully,
Robert D. Taylor & Family
702 Mockingbird Drive
Franklin, TN 37069
(Cottonwood Lot#222)

From: <Obridgett@aol.com>
To: <mmalone@mail.state.tn.us>, <skyle@mail.state.tn.u...>
Date: 6/29/00 12:31pm
Subject: Lynwood Utilities

To my representatives and TRA members:

I am a resident of Cottonwood Estates in Franklin. As a neighborhood, we have been faced with one problem after another with regard to the newest housing developments in our area. From cutting access roads for the new residents through existing side streets to the obvious overloading of the sewage system (causing documented pollution hazards in the Harpeth River), it seems that these new developments are to be built, regardless of their impact on the residents who are already here.

I'm from southern California, I understand land development, and am not opposed to it on principle. Only when it is done irresponsibly. The latest impact of this irresponsibility is the raising of Lynwood Utility rates by over 300%, to a rate almost 70% higher than those of comparable utilities. The fact that Lynwood Utility is owned by the developers of River Landing and Legends Ridge is an unbelievable conflict of interest in the first place. That notwithstanding, to ask existing customers to pay for the upgrade of a utility in order to be able to service new customers is ridiculous! The TRA should not allow it.

As a resident of Williamson County, I have been appalled by the complete ownership of any sort of government body by land developers. I'm not sure how it is that this sort of collusion continues. However, this action by Lynwood Utilities is so far over the top, I cannot believe that it will stand public scrutiny. I am asking you to be sure that it does not.

Thank you for your time and attention.

Best regards,

Bridgett Evans O'Lannerghy
162 Cottonwood Drive
Franklin TN 37069

From: <PUGGAH@aol.com>
To: <mmalone@mail.state.tn.us>
Date: 6/29/00 3:11pm
Subject: Lynnwood Utilities debate

RECEIVED
JUL 1 1900

'00 JUN 28 PM 3 45

Dear Mr. Malone,

99-00507

When we first moved to Cottonwood Subdivision in Franklin in 1994, it fulfilled a dream we had when we first married in 1978. To live in beautiful Williamson County was a given when we relocated from Florida. My wife and I were delighted to find a home in this much sought-after community. Our neighbors are our friends.

In these last few years we have bemoaned all the new developments springing up all around us. While the expensive new homes have perhaps brought our property value up, the increased water and sewer usage has caused major problems for us in Cottonwood. Lynnwood Utilities met with our Cottonwood Homeowner's Association and assured them that the upgrades being done to the sewer treatment plant would not affect our monthly fees. But two months ago we received a new bill in the mail for \$40.00 and another for the next month for \$50.77. This a jump from \$16.75 a month. Some families were estimated as \$100 a month. This is ridiculous! This is 70% higher than another sewer service in our same area!

The developers are David Terry and Smith, Crowe, Wilson LLC. Shouldn't they be assessed for these added improvements? After all, they are the ones who have made a lot of money from the sale of the lots to the builders. No one asked us if they could build multi-million dollar homes nearby and charge us for improvements in a sewer system which was sufficient for the number of homes in our community. We are innocent. It isn't fair and someone needs to stand up for us. Please do your part to fairly represent us in this matter. We appreciate and say thank you in advance for anything you could say or do to help us out.

Best Regards,
Mr. and Mrs. Woody Peek, Jr.
609 Countryside Court
Franklin, Tenn. 37069

From: "Claudia Fielder" <cgf33@prodigy.net>
To: <mmalone@mail.state.tn.us>
Date: 6/29/00 5:23pm
Subject: Lynnwood Utility

100 JUN 29 PM 3 45

Dear Mr. Malone,

EX-100 JUN 29 PM 3 45

I am a resident of Cottonwood in Franklin, and am very concerned about the increase in our sewer rates. Since 1996, developers of the Legends Ridge and River Landing subdivisions have owned Lynnwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions.

Lynnwood's owners misled and misrepresented their plans to the Cottonwood Homeowners' Association Board of Directors, leading the Board to believe that rates paid by Cottonwood residents would not be adversely affected by Lynnwood's expansion plans.

These land developers who became Lynnwood Utility owners (David Terry followed by Smith, Crowe, Wilson, LLC) have engaged in a complex sequence of financial arrangements that must be more fully explored by the TRA to ensure that Lynnwood Utility's customers' interests have not been sacrificed to secure the profitability of David Terry's and Smith, Crowe, Wilson's land developments.

Lynnwood's new rate of \$5.77 per 1000 gallons of water used is an increase of 300-400% for Cottonwood Residents. The new rate is approximately 70% higher than other sewer services in our area. It is outrageous!

Revenue projections provided to the TRA by Lynnwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

This rate increase is grossly excessive and should not be allowed to stand. Please reconsider this action.

Thank you for your support.

Regards,

Claudia Fielder
127 Cottonwood Drive
Franklin, TN 37069

From: "Claudia Fielder" <cgf33@prodigy.net>
To: <lgreer@mail.state.tn.us>
Date: 6/29/00 5:24pm
Subject: Lynnwood Utility

Dear Mr. Greer,

I am a resident of Cottonwood in Franklin, and am very concerned about the increase in our sewer rates. Since 1996, developers of the Legends Ridge and River Landing subdivisions have owned Lynnwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions.

Lynnwood's owners misled and misrepresented their plans to the Cottonwood Homeowners' Association Board of Directors, leading the Board to believe that rates paid by Cottonwood residents would not be adversely affected by Lynnwood's expansion plans.

These land developers who became Lynnwood Utility owners (David Terry followed by Smith, Crowe, Wilson, LLC) have engaged in a complex sequence of financial arrangements that must be more fully explored by the TRA to ensure that Lynnwood Utility's customers' interests have not been sacrificed to secure the profitability of David Terry's and Smith, Crowe, Wilson's land developments.

Lynnwood's new rate of \$5.77 per 1000 gallons of water used is an increase of 300-400% for Cottonwood Residents. The new rate is approximately 70% higher than other sewer services in our area. It is outrageous!

Revenue projections provided to the TRA by Lynnwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

This rate increase is grossly excessive and should not be allowed to stand. Please reconsider this action.

Thank you for your support.

Regards,

Claudia Fielder
127 Cottonwood Drive
Franklin, TN 37069

From: <RihKel@cs.com>
To: <mmalone@mail.state.tn.us>
Date: 6/29/00 3:17pm
Subject: Lynwood Utility

We need to make you aware that Lynwood Utility has suddenly quadrupled the sewer rate in Cottonwood Subdivision, Franklin, TN. For the past nine years we have paid a monthly fee of \$14.00. As of two months ago, Lynwood Utility has acquired new ownership by land developers (David Terry's and Smith, Crowe, Wilson's land developments) who are presently developing new subdivisions adjoining Cottonwood.

Since 1996, developers of the Legends Ridge & River Landing subdivisions have owned Lynwood Utility because they needed access to and control of a sewage treatment plant in order to be able to develop their subdivisions.

TRA has approved Lynwood Utility's requested rate increase (from the new owners) wherein they are charging us \$5.77 per 1000 gallons of water used, which is an increase of 300-400% for Cottonwood residents. PLEASE BE AWARE THAT THE NEW RATE IS APPROXIMATELY 70% HIGHER THAN OTHER SEWER SERVICE IN OUR AREA. Last month our bill was \$51.42 and this month our bill was \$62.83.

Also, revenue projections provided to the TRA by Lynwood Utility are grossly understated due to their failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

The rate increase is grossly excessive.

Please e-mail us at the below address so that we may hold comfort in knowing further investigative steps are being taken.

Sincerely,
Mark & Kristie Kellner (RihKel@CS.com)

From: <RihKel@cs.com>
To: <sen.marsha.blackburn@legislature.state.tn.us>
Date: 6/29/00 4:01pm
Subject: Lynwood Utility, Franklin, TN

We need to make you aware that TRA has recently approved a rate increase for Lynwood Utility for the Cottonwood Subdivision residents in Franklin, TN, wherein the sewer fee as quadrupled. For the past nine years, we have paid a monthly fee of \$14.00. As of two months ago, our bill was \$51.00 and last month \$63.83.

The new rate that TRA has approved is \$5.77 per 1000 gallons of water which is an increase of 300-400% for Cottonwood residents. THE NEW RATE IS APPROXIMATELY 70% HIGHER THAN OTHER SEWER SERVICES IN OUR AREA.

New ownership of Lynwood Utility has been acquired by land developers (David Terry, Smith, Crowe, Wilson,. LLC). They are currently developing a neighborhood adjoining Cottonwood.

Revenue projections provided to the TRA by Lynwood Utility are grossly understated due to the failure to reflect the revenues generated by the number of additional households coming on line in Legends Ridge and River Landing.

The rate increase that TRA has approved is grossly excessive. Please e-mail us at the below address so that we can be assured further investigation into this matter is being pursued.

Sincerely,
Mark & Kristie Kellner (RihKel@CS.com)

CC: <lgreer@mail.state.tn.us>

From: "Brian Fleming" <blmj_fleming@hotmail.com>
To: <mmalone@mail.state.tn.us>, <skyle@mail.state.tn.u...>
Date: 6/29/00 5:49pm
Subject: Cottonwood Sewer Bill

Greetings,

I am a former VP of the Cottonwood Homeowners Association Board of Directors and now a concerned citizen about the increase in our sewer bill.

While on the Board, I distinctly remember developer Dave Terry telling us the expansion to the sewer plant would not be funded by Cottonwood homeowners, but instead by the homeowners in the new developments it was being expanded to support, namely Legends Ridge and River Landing. Now I see our bills have increased dramatically and are now 70% higher than other sewer services in our area.

Please take action to correct the sewer bill for Cottonwood residents.

Brian Fleming
181 Cottonwood Drive
Franklin, TN 37069
615-790-2550

Get Your Private, Free E-mail from MSN Hotmail at
<http://www.hotmail.com>